

105TH CONGRESS
1ST SESSION

H. R. 765

To ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 1997

Mr. JONES introduced the following bill; which was referred to the Committee on Resources

A BILL

To ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Shackleford Banks
5 Wild Horses Protection Act”.

6 **SEC. 2. MAINTENANCE OF WILD HORSES IN CAPE LOOKOUT**
7 **NATIONAL SEASHORE.**

8 Section 5 of the Act entitled “An Act to provide for
9 the establishment of the Cape Lookout National Seashore
10 in the State of North Carolina, and for other purposes”,

1 approved March 10, 1966 (16 U.S.C. 459g–4), is amended
2 by inserting “(a)” after “SEC. 5.”, and by adding at the
3 end the following new subsection:

4 “(b)(1) The Secretary, in accordance with this sub-
5 section, shall allow a herd of free roaming horses in the
6 seashore.

7 “(2) Within 180 days after enactment of this sub-
8 section, the Secretary shall enter into an agreement with
9 the Foundation for Shackleford Horses (a nonprofit cor-
10 poration established under the laws of the State of North
11 Carolina) to provide for management of free roaming
12 horses in the seashore. The agreement shall—

13 “(A) provide for cost-effective management of
14 the horses; and

15 “(B) allow the Foundation to adopt any of
16 those horses that the Secretary removes from the
17 seashore.

18 “(3)(A) The Secretary shall accommodate the historic
19 population level of the free roaming horse herd in the sea-
20 shore, which shall be considered to be not less than 100
21 horses and not more than 110 horses.

22 “(B) The Secretary may not remove, or assist in or
23 permit the removal of, any free roaming horses from Fed-
24 eral lands within the boundaries of the seashore unless—

1 “(i) the number of free roaming horses in the
2 seashore exceeds 110;

3 “(ii) there is an emergency or a need to protect
4 public health and safety, as defined in the agreement
5 under paragraph (2); or

6 “(iii) there is concern for the persistence and
7 viability of the horse population that is cited in the
8 most recent findings of annual monitoring of the
9 horses under paragraph (4).

10 “(4) The Secretary shall annually monitor, assess,
11 and make available to the public findings regarding the
12 population structure and health of the free roaming horses
13 in the national seashore.

14 “(5) Nothing in this subsection shall be construed as
15 creating liability for the United States for any damages
16 caused by the free roaming horses to property located in-
17 side or outside the boundaries of the seashore.”.

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